

REMARKS

Claims 17-22 and 24-26 are pending in the above-identified application. Claims 17-22 and 24-26 were rejected. With this Amendment, claim 17 and 24-26 were amended and no claims were added or cancelled. Accordingly, claims 17-22 and 24-26 are at issue.

I. 35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 17-22, 24-26 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kikuchi (U.S. Patent No. 6,088,733). Applicants respectfully traverse this rejection.

Claims 17 and 24-26, and the claims that depend from claims 17 and 24-26, have been amended to assist the Examiner in understanding the meaning of the phrase “user defined predetermined event.” Each of independent claims 17 and 24-26 now recites: “the control data is previously described as an encoded data string in a **user defined sequence specific event** in a standard format of the interface data.” (emphasis added). A sequence specific event is an event that occurs, or has occurred, in a certain sequence, such as a concert or play, which can be reproduced synchronously based on that sequence. (See Specification, pg. 5, 9 and 11). Therefore, a user defined sequence specific event is a sequence specific event whose reproduction characteristics have been defined by a user. Applicants submit that the present invention allows for user definition of the production sequence and characteristics (e.g. a user can define the pitch of reproduced music by changing the performance tone signal. (See Specification, Pg. 38, para. 3).

In contrast, Kikuchi does not disclose or suggest that control data is in an encoded data string in a user defined sequence specific event in a standard format of interface data. Instead, in Kikuchi, a sequence number 203 is assigned sequentially to each packet and the reproduction

time is relative time from the start of the musical performance. (See col. 5, lines 31-37). A packet 200 has a predetermined format encoded when it is generated for distribution to the network. (See col. 5, lines 58-60). A reception terminal receives the packet 200 and the data is processed by a program in accordance with Fig. 5, which does not include any user definition. (See col. 7, line 8 - col. 8, line 24 and Fig. 5). Given that there is no provision in Kikuchi for changing reproduction of a sequence specific event based on user input, the reproduction is not "user defined."

Additionally, Applicants have amended claim 24 to include the limitation, "a control event in the control data can define that actual control be executed at a timing other than real time timing" and claims 17, 25 and 26 to recite, "timing information setting forth when control is to be executed is included in the control data." These limitations are not disclosed or suggested in Kikuchi. Kikuchi only discloses reproduction based on real time timing. With the recited capabilities, the claimed system allows for delayed execution of control and manipulation of timing, features which Kikuchi neither discloses or suggests. Further, Kikuchi does not disclose or suggest a text signal as required by claim 17.

In light of the forgoing, the claimed subject matter is not anticipated by Kikuchi and the rejection should be withdrawn. For reasons similar to those discussed above with regard to claim 17, Applicants respectfully submit that claims 18-22, which depend from 17, and claims 24-26 also allowable over Kikuchi.

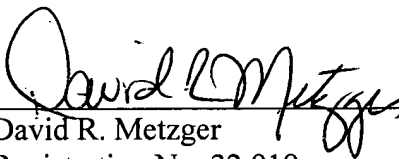
II. Conclusion

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: November 15, 2005

By: _____



David R. Metzger

Registration No. 32,919

SONNENSCHN NATH & ROSENTHAL LLP

P.O. Box 061080

Wacker Drive Station, Sears Tower

Chicago, Illinois 60606-1080

(312) 876-8000